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ABSTRACT

This non-regulatroy guide from the U.S. Department of Education focuses on the McKinney-Vento Education for the Homeless Children and Youth (McKinney-Vento) program as amended by the No Child Left Behind Act of 2001. An introductory section explains the purpose of McKinney-Vento, the statutory authority for the program, how the new McKinney-Vento program differs from the predecessor program, what federal civil rights requirements apply to schcol districts in educating homeless children, and the purpose of this guidance. The rest of the report presents information on: federal awards to states; state uses of funds; Office of the Coordinator; prohibition against segregation; local liaisons; school placement and enrollment; transportation; comparable and coordinated services; homeless unaccompanied youth; subgrants to LEAs; local uses of funds; coordination with Title I, Part A; and contact information. The seven appendixes present definitions, related education legislation, draft standards and indicators of quality, sample student residency questionnaire, sample dispute resolution process forms I and II, and references. (SM)

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ED 481 812

No Child LEFT BEHIND

EDUCATION FOR HOMELESS CHILDREN AND YOUTH PROGRAM

TITLE VII-B OF THE MCKINNEY-VENTO HOMELESS ASSISTANCE ACT,

AS AMENDED BY THE

NO CHILD LEFT BEHIND ACT OF 2001

DRAFT NON-REGULATORY GUIDANCE

UNITED STATES DEPARTMENT OF EDUCATION
WASHINGTON, DC

March 2003

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A. Introduction

A-1. What is the purpose of the McKinney-Vento Education for Homeless Children and Youth (McKinney-Vento) program?

The McKinney-Vento program is designed to address the problems that homeless children and youth have faced in enrolling, attending, and succeeding in school. Under this program, State educational agencies (SEAs) must ensure that each homeless child and youth has equal access to the same free, appropriate public education, including a public preschool education, as other children and youth. Homeless children and youth should have access to the educational and other services that they need to enable them to meet the same challenging State student academic achievement standards to which all students are held. In addition, homeless students may not be separated from the mainstream school environment. States and districts are required to review and undertake steps to revise laws, regulations, practices, or policies that may act as a barrier to the enrollment, attendance, or success in school of homeless children and youth.

A-2. What is the statutory authority for the McKinney-Vento program?

The program is authorized under Title VII-B of the McKinney-Vento Homeless Assistance Act (42 USC 11431 et seq.). The program was originally authorized in 1987, and most recently reauthorized by the No Child Left Behind Act of 2001.

A-3. How does the new McKinney-Vento program differ from the predecessor program?

The principal differences between the new McKinney-Vento program and the predecessor program include the following:

- *Express prohibition against segregating homeless students* – The legislation expressly prohibits a district or school from segregating a homeless child or youth in a separate school, or in a separate program within a school, based on the child or youth's status as homeless. (*See* Section E of this guidance.)

- *Requirement for transportation to and from school of origin* – The State and its local educational agencies (LEAs) must adopt policies and practices to ensure that transportation is provided, at the request of the parent or guardian (or in the case of the unaccompanied youth, the liaison) to and from the school of origin. There are specific provisions regarding the responsibility and costs for transportation. (*See* Section H.)

- *Immediate school enrollment requirement* – If a dispute arises over school selection or placement, an LEA must admit a homeless child or youth to the school in which enrollment is sought by the parent or guardian, pending resolution of the dispute. (*See* Section G.)

- *Changes in "best interest" determination* – LEAs must make school placement determinations on the basis of the "best interest" of the child or youth. In determining what is a child or youth's best interest, an LEA must, to the extent feasible, keep a homeless child or youth in the school of origin, unless doing so is contrary to the wishes of the child or youth's parent or guardian. (*See* Section G.)

- *Local liaison in all school districts* – Every LEA, whether or not it receives a McKinney-Vento subgrant, must designate a local liaison for homeless children and youth. (*See* Section F.)

- *New subgrant requirements* – A State that receives an allocation greater than the State minimum allotment must competitively subgrant to LEAs at least 75 percent of its allocation. A State that receives the minimum State allotment must competitively subgrant to LEAs at least 50 percent of its allocation. (*See* Sections C and K.)

A-4. What Federal civil rights requirements apply to school districts in educating homeless children?

School districts, as recipients of Federal financial assistance and as public entities, must ensure that their educational programs for homeless children are administered in a nondiscriminatory manner. The Office for Civil Rights (OCR) enforces Federal laws that prohibit discrimination on the basis of race, color, or national origin (Title VI of the Civil Rights Act of 1964); sex (Title IX of the Education Amendments of 1972); age (Age Discrimination Act of 1975); and disability (Section 504 of the Rehabilitation Act of 1973, as applied to recipients of Federal financial assistance and Title II of the Americans With Disabilities of 1990, as applied to public educational entities). For more information about the application of these laws, contact the OCR enforcement office that serves your state.

A-5. What is the purpose of this guidance?

This guidance replaces the prior nonregulatory guidance for the Education for Homeless Children and Youth program. The guidance describes the requirements of the reauthorized program and provides suggestions for addressing many of those requirements. The guidance does not impose any requirements beyond those in the program legislation and other applicable Federal statutes and regulations. While States may wish to consider the guidance in developing their own guidelines and standards, they are free to develop alternative approaches that meet the applicable Federal statutory and regulatory requirements.

B. Federal Awards to States

B-1. On what basis does the Department award McKinney-Vento funds to States?

The Department awards McKinney-Vento funds to States by formula. The amount that a State receives in a given year is based on the proportion of funds it receives under Title I, Part A of the ESEA for that year. For the purpose of determining allotments, the term "State" includes each of the fifty States, the District of Columbia, and Puerto Rico. The minimum State allocation for fiscal year 2003 is $150,000.

B-2. Are the outlying areas and the Bureau of Indian Affairs (BIA) eligible to receive McKinney-Vento funds?

Yes. The Department is authorized to reserve 0.1 percent of each year's appropriation to award grants to the outlying areas (i.e., the Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands). In addition, the Department transfers, under a memorandum of agreement, 1 percent of each year's appropriation to the BIA for programs for homeless Indian students served by schools funded by the BIA.

C. State Uses of Funds

C-1. For what purposes may a State use its McKinney-Vento allocation?

A State may use its McKinney-Vento allocation for the following purposes:

- *State activities* - A State that receives an allocation greater than the State minimum allotment (i.e., greater than $150,000 for FY 2003) may reserve for State-level activities up to 25 percent of its allocation for that fiscal year. A State funded at the minimum level may reserve for State-level activities up to 50 percent of its allocation for that fiscal year.

- *Subgrants to LEAs* - An SEA must award funds not reserved for State-level activities to LEAs on a competitive basis.

C-2. For what purposes may a State use McKinney-Vento funds that are reserved for State-level activities?

A State may use McKinney-Vento funds that are made available for State use to support the broad array of activities conducted by the Office of Coordinator for Education of Homeless Children and Youth. (*See* Section 722(f) of the legislation and Part D of this guidance.) The SEA may conduct these activities directly or through grants or contracts.

D. Office of the Coordinator For Education Of Homeless Children And Youth

D-1. What are the primary responsibilities of the State Coordinator for Education of Homeless Children and Youth?

The primary responsibilities of the State coordinator are to:

- Develop and carry out the State's McKinney-Vento plan;
- Gather valid, reliable, and comprehensive information on the problems faced by homeless children and youth, the progress of the SEA and LEAs in addressing those problems, and the success of McKinney-Vento programs in allowing homeless children and youth to enroll in, attend, and succeed in school;
- Coordinate services on behalf of the McKinney-Vento program;
- Provide technical assistance to LEAs in coordination with the local liaisons to ensure that LEAs comply with the McKinney-Vento Act; and
- Collect and transmit to the U.S. Department of Education, upon request, a report containing the information that the Department determines is necessary to assess the educational needs of homeless children and youth.

D-2. What are the reporting requirements that State coordinators must meet?

The McKinney-Vento Act gives the Department the authority to collect from States, at such times as the Department may require, information that the Department determines is necessary to assess the educational needs of homeless children and youth. The Department will be issuing further guidance on State reporting responsibilities.

D-3. What are the State coordinator's responsibilities regarding the coordination of services?

State coordinators must facilitate coordination among the SEA, the State social services agency, and other agencies (including agencies providing mental health services) to provide services to homeless children and youth and their families. To improve the provision of comprehensive services to these children and youth and their families, coordinators must coordinate and collaborate with educators, including child development and preschool program personnel, and service providers. Additionally, State coordinators must coordinate services with local liaisons and community organizations and groups representing homeless children, youth, and families. Comprehensive services include health care, nutrition, and other social services.

Where applicable, State coordinators must also coordinate services with State and local housing agencies responsible for developing comprehensive affordable housing strategies under Section 105 of the Cranston/Gonzalez National Affordable Housing Act (Public Law 101-625).

D-4. What are the technical assistance responsibilities of State coordinators?

State coordinators must provide technical assistance to LEAs, in coordination with local liaisons, to ensure LEA compliance on such issues as school choice and placement, enrollment policies, enrollment disputes, school records, duties of local liaisons, and reviewing and revising policies that may act as enrollment barriers. Through strong leadership and collaboration and communication with the LEA liaisons, the State coordinator can help ensure that districts will carry out the requirements of the Act. Establishing clear-cut policies and procedures at the State level and making sure districts know and understand them will facilitate the smooth and consistent implementation of the Act.

Enrollment Barriers

The school enrollment and retention barriers that homeless children and youth most frequently face are the following: transportation, immunization requirements, residency requirements, providing birth certificates, and legal guardianship requirements.

U.S. Department of Education's McKinney-Vento Report To Congress for Fiscal Year 2000 References, Appendix G

D-5. Is the State coordinator required to provide technical assistance only to school districts that receive McKinney-Vento subgrants?

No. The State coordinator must provide technical assistance to all school districts. The McKinney-Vento Act requires that all homeless children be given the opportunity to achieve to challenging State academic standards.

D-6. By what means should State coordinators provide technical assistance?

The State coordinator may provide a wide range of coordinated technical assistance activities. These may include State conferences, guidance documents for LEA liaisons, a State website that addresses McKinney-Vento issues and provides a listing of State resources, a listserv, a toll-free help line, and newsletters or bulletins. Many school districts have not implemented targeted services for homeless children and youth. Therefore, State level technical assistance will be essential to familiarize new LEA liaisons with the requirements of the McKinney-Vento Act and to provide guidance on serving eligible students.

D-7. What are examples of technical assistance that school districts may need?

Areas in which school districts and LEA liaisons may need technical assistance include the following:

- Understanding the requirements of the McKinney-Vento Act;
- Establishing procedures to address problems related to enrollment and school selection;

- Transportation disputes, including inter-district disputes;
- Determining LEA needs and developing a plan for services;
- Creating school district and community awareness of the needs of eligible students;
- Identifying Federal, State, and local resources;
- Identifying children and youth in homeless situations;
- Collecting data;
- Parental involvement activities; and
- Identifying strategies for improving academic achievement.

Technical Assistance Strategies: Best Practices

Many State and local homeless education coordinators conduct extensive awareness activities. As school personnel gain a broader understanding of the needs of homeless children and youth, they are better able to implement policies and practices that ensure access to school and support success in school.

Information dissemination is often cited as a successful strategy used by State coordinators to ensure school districts understand and uphold the McKinney-Vento Act. Information dissemination activities include the publication of guidance and manuals, holding State conferences for homeless education and providing web pages on SEA websites.

Several State coordinators reported visiting McKinney-Vento subgrantees to offer assistance with program evaluation. Technical assistance through interagency coordination is key to meeting the needs of eligible students and providing comprehensive services that are continuous and non-duplicative.

The Education of Homeless Children and Youth Program: Learning to Succeed References, Appendix G

E. Prohibition Against Segregation

E-1. May States or districts segregate homeless children and youth in separate schools or in separate programs within a school?

No. Homelessness alone is not sufficient reason to separate students from the mainstream school environment. SEAs and LEAs must adopt policies and practices to ensure that students are not segregated or stigmatized on the basis of their status as homeless. Services provided with McKinney-Vento Act funds must not replace the regular academic program and must be designed to expand upon or improve services provided as part of the school's regular academic program.

- If a State receives funds under the McKinney-Vento program, every district in that State – whether or not it receives a McKinney-Vento subgrant from its SEA – is prohibited from segregating homeless students in separate schools or in separate programs within schools, based on the child's or youth's status as homeless.

- Schools may not provide services with McKinney-Vento funds on school grounds in settings that segregate homeless children and youth from other children and youth, except as necessary for short periods of time for health and safety emergencies or to provide temporary, special, and supplementary services to meet the unique needs of homeless children and youth.

There is a very limited exception to the prohibition against segregating homeless students in separate schools or in separate settings within a school that applies only to four "covered counties" – Orange County, CA; San Diego County, CA; San Joaquin County, CA; and Maricopa County, AZ – if the conditions described in section 722(e)((3)(B) are met. The Department has provided separate guidance on this exception to the affected States and districts.

E-2. May a district educate homeless children at an off-school facility, such as a shelter?

No. Homeless children and youth must be educated as part of a school's regular academic program. Services must be provided to homeless children and youth through programs and mechanisms that integrate homeless children and youth with their nonhomeless counterparts. Services provided with McKinney-Vento funds must expand upon or improve services provided as part of the regular school program.

E-3. May a school separate a child from the regular school program if he or she resides in a domestic violence shelter?

Schools should take all necessary steps to protect children who are victims of domestic violence, such as protecting children's identity in school database systems, arranging for anonymous pick up and drop off locations for school buses, enrolling children in a different school, sensitizing bus drivers and school personnel to the child's circumstances, training school staff on confidentiality laws and policies, and helping families to file copies of protective orders with schools. In this way, schools can address safety concerns and provide equal educational opportunities without causing further disruption in children's lives.

E-4. Are "transitional classrooms" in shelters, where children and youth receive educational services while they are being assessed or while they wait for school records, permissible under McKinney-Vento?

No. Districts are required to adopt policies that will eliminate barriers to school enrollment that may be caused by tracking, obtaining, and transferring records.

F. Local Liaisons

F-1. Is every LEA in a State required to designate a local liaison for homeless children and youth?

Yes. Every LEA – whether or not it receives a McKinney-Vento subgrant – is required to designate a local liaison.

F-2. What are the responsibilities of the local liaison for homeless children and youth?

The local liaison serves as one of the primary contacts between homeless families and school staff, district personnel, shelter workers, and other service providers. The liaison coordinates services to ensure that homeless children and youth enroll in school and have the opportunity to succeed academically.

Local liaisons must ensure that:

- Homeless children and youth are identified by school personnel and through coordination activities with other entities and agencies;
- Homeless students enroll in, and have full and equal opportunity to succeed in, the schools of the LEA;
- Homeless children and youth receive educational services for which they are eligible, including Head Start, Even Start, and preschool programs administered by the LEA, and referrals to health, mental health, dental, and other appropriate services;
- Parents or guardians of homeless children and youth are informed of educational and related opportunities available to their children, and are provided with meaningful opportunities to participate in the education of their children;
- Parents and guardians and unaccompanied youth are fully informed of all transportation services, including transportation to and from the school of origin, and are assisted in accessing transportation services;
- Enrollment disputes are mediated in accordance with the requirements of the McKinney-Vento Act; and
- Public notice of the educational rights of homeless students is disseminated to locations where children and youth receive services under the Act.

In meeting these responsibilities, local liaisons will assist homeless children and youth with activities such as the following:

- Enrolling in school and accessing school services;
- Obtaining immunizations or medical records;
- Informing parents, school personnel, and others of the rights of homeless children and youth;

- Working with school staff to make sure that homeless children and youth are immediately enrolled in school pending resolution of disputes that might arise over school enrollment or placement;
- Helping to coordinate transportation services for homeless children and youth; and
- Collaborating and coordinating with State Coordinators for the Education of Homeless Children and Youth and community and school personnel responsible for providing education and related support services to homeless children and youth.

Needs Assessment: Best Practices

A particularly effective tool for addressing the problems faced by homeless children and youth is implementing a needs assessment process that, in turn, can shape the development of an action plan. Taking time to identify the needs of homeless children and families and the resources the school district and community offer will enable the liaison to make informed decisions about the types of activities that will result in services to enhance opportunities for school success for eligible students. The liaison can collaborate with other programs, organizations, and agencies to set goals for homeless education programs and services and should collect data on an ongoing basis to determine progress in achieving the goals. The data will provide the foundation for the improvement of services for eligible students.

Local Homeless Liaison Toolkit References, Appendix G

F-3. What is the relationship between the SEA and the local liaisons?

An SEA must ensure that each of its LEAs designates an appropriate staff person to serve as a liaison for homeless children and youth. The SEA should obtain from each of its LEAs, by a date specified by the State, contact information concerning the local liaisons.

Through its State coordinator, the SEA should provide guidance to LEAs to assist them in designating local liaisons and in understanding the duties and responsibilities of the liaisons. The SEA should work with LEAs and local liaisons throughout the year to ensure that homeless children and youth are receiving the services that they need in order to enroll in, attend, and succeed in school.

F-4. How can a State assist LEAs in designating local liaisons?

The State may issue guidance to LEAs that describes factors for an LEA to consider in designating its liaison. The type of person best suited to address the problems faced by homeless children and youth may vary according to the particular circumstances within a State or district. For example, in appointing a liaison, an LEA might consider the following:

- If it is likely that the LEA will have to revise local policies and procedures to address enrollment and school attendance barriers, the LEA may want to designate as a liaison an individual who is currently in a position to communicate effectively with policymakers. That person might be a director of pupil services, a local Title I coordinator, or an assistant superintendent.

- If an LEA has in place strong local policies and procedures to assist homeless students, the LEA might consider designating as a liaison an individual closer to the provision of direct services. For example, social workers, other support staff, and guidance counselors have been successful liaisons due to their skills and experience with outreach efforts in the community.

F-5. What strategies can a local liaison use to identify homeless preschoolers?

Local liaisons can identify preschool-aged homeless children by working closely with shelters and social service agencies in their area. In addition, the liaison should work with school personnel, who can inquire, at the time they are enrolling homeless children and youth in school, whether the family has preschool-aged children. The LEA liaison should also collaborate with the school district special education program. The Individual with Disabilities Education Act (IDEA) requires that highly mobile children with disabilities, such as migrant and homeless children who are in need of special education and related services, are located, identified and evaluated. Additionally, IDEA requires that homeless preschoolers and all homeless children be included in the "Child Find" process for early identification of special education needs.

F-6. How can a local liaison assist homeless families in enrolling their children in a preschool if the program has a waiting list?

The LEA liaison should work with preschool program staff to remind them how important their services are for homeless children and to inform them of how waiting lists often create barriers for homeless families who wish to enroll their children. Some preschool programs keep slots open specifically for homeless children.

Identifying Homeless Children and Youth: Best Practices

Homeless children and youth are difficult to identify for many reasons, and thus often go unnoticed by school personnel. In order to identify homeless children both in and out of school, LEA liaisons can coordinate with community service agencies, such as shelters, soup kitchens, food banks, transitional living programs, street outreach teams, drop-in centers, community action agencies (especially in rural areas, where there may be no shelters), welfare departments, housing departments, public health departments, and faith-based organizations to begin to develop a relationship on issues such as the school enrollment process, transportation, and other student services.

Where available, the LEA liaisons can engage the local homeless task force, homeless coalition, and homeless assistance Continuum of Care as partners in the identification of students who are homeless. LEA liaisons can develop relationships with truancy officials and/or other attendance officers and train them how to recognize school absences that may be the result of homelessness. They can provide officials with information so that they may discreetly refer eligible students to appropriate services.

LEA liaisons can use creative techniques to identify unaccompanied homeless youth while respecting their privacy and dignity, such as administering surveys to peers, using enrollment questionnaires, or providing specific outreach to areas where eligible students who are out of school might congregate. Liaisons can make special efforts to identify homeless preschool children.

LEA liaisons can provide a district-wide residency questionnaire to all students upon enrollment. Questionnaires that may suggest homelessness can be sent to the local liaison for a final determination of homeless status, and, if affirmative, lead to the provision of referrals and other assistance (*See* Example in Appendix D.)

LEA liaisons should avoid using the word "homeless" in initial contacts with school personnel, families, or youth. For most people, the word "homeless" conjures up stereotypical images of adults, not children or youth in classrooms. School personnel may be unlikely to recognize students who are homeless initially, but often respond affirmatively when asked if they know of students who are staying temporarily with relatives, are staying at campgrounds or in their car, are living at motels, are living with another family temporarily, or have moved several times in a year.

Families and students who are homeless may not think of themselves as "homeless" because of the stigma attached. Therefore, outreach posters and materials placed in shelters, campgrounds, motels, and public housing projects should describe the symptoms of homelessness (for example, different kinds of living situations) rather than simply refer to a person's "homeless" status.

Local Liaison Toolkit References, Appendix G

G. School Placement and Enrollment

G-1. On what basis does an LEA make school placement determinations for homeless children and youth?

Homeless children and youth frequently move, and maintaining a stable school environment is critical to their success in school. To ensure this stability, LEAs must

make school placement determinations on the basis of the "best interest" of the homeless child or youth. Using this standard, an LEA must --

(a) Continue the child or youth's education in the school of origin for the duration of homelessness when a family becomes homeless between academic years or during an academic year; or for the remainder of the academic year if the child or youth becomes permanently housed during an academic year; or

(b) Enroll the child or youth in any public school that non-homeless students who live in the attendance area in which the child or youth is actually living are eligible to attend.

G-2. How does an LEA determine the child or youth's "best interest"?

In determining a child or youth's best interest, an LEA must, to the extent feasible, keep a homeless child or youth in the "school of origin" unless doing so is contrary to the wishes of the child or youth's parent or guardian. If an LEA wishes to send a homeless child or youth to a school other than the school of origin or a school requested by the parent or guardian, the LEA must provide a written explanation of its decision to the parent or guardian, together with a statement regarding the right to appeal the placement decision.

G-3. Why is it so important to maintain a stable education for homeless children and youth?

Changing schools significantly impedes a student's academic and social growth. The literature on highly mobile students indicates that it can take a student four to six months to recover academically after changing schools. Highly mobile students have also been found to have lower test scores and overall academic performance than peers who do not change schools. Therefore, the McKinney-Vento Act calls for LEAs to maintain students in their school of origin to the extent feasible.

G-4. What should a school district consider when determining the extent to which it is feasible to educate a homeless child or youth in his or her school of origin?

As stated above, to the extent feasible, a district must educate a homeless child or youth in his or her school of origin, unless doing so is contrary to the wishes of the parent or guardian. The placement determination should be a student-centered, individualized determination. Factors that an LEA may consider include the age of the child or youth; the distance of a commute and the impact it may have on student's education; personal safety issues; a student's need for special instruction (e.g., special education and related services); the length of anticipated stay in temporary shelter or other temporary location; and the time remaining in the school year.

G-5. What procedures must an LEA follow if a dispute arises between a school and a parent or guardian regarding placement of a homeless child or youth?

If a dispute arises over school selection or enrollment, the LEA must immediately enroll the homeless student in the school in which enrollment is sought by the parent

or guardian, pending resolution of the dispute. Similar provisions apply to placement of unaccompanied youth. Inter-district enrollment disputes should be resolved at the SEA level (*See* G-9).

Homeless families and youth may be unaware of their right to challenge placement and enrollment decisions. Therefore, the LEA must provide the parent, guardian or unaccompanied youth with a written statement of the school placement decision and the appeal rights. The LEA must refer the unaccompanied youth, parent or guardian to the LEA liaison, who must expeditiously carry out the dispute resolution process.

When enrollment disputes arise, it is critical that students not be kept out of school. Interruption in education can severely disrupt the students' academic progress. To avoid such disruptions, LEAs need an established process for resolving school placement disputes. Permitting students to enroll immediately in the school of choice pending resolution of disputes helps provide needed stability.

LEA homeless liaisons help ensure that disputes are resolved objectively and expeditiously. Written notice protects both students and schools by outlining the specific reasons for the school's decision. It facilitates dispute resolution by providing decision-makers with documents to guide their determinations.

G-6. In providing special services to homeless children and youth, how does a school or district avoid stigmatizing those children?

As stated above, a district or school may not segregate homeless children and youth from the mainstream school environment. Homeless children and youth are entitled to receive all of the services that are provided to their nonhomeless counterparts and in the same setting as their non-homeless peers.

In some circumstances, it may be appropriate to provide additional services to homeless children and youth in a separate setting. In doing so, a district should be careful not to stigmatize these students. If a district does implement a supplemental program exclusively for homeless children, such as a shelter-based evening tutoring program, it should not be called "the homeless tutoring program" or the "shelter tutoring program." Instead, the district should use a name such as "Discovery Club" or "Homework Club" to avoid stigmatization.

Enrollment and Attendance Statistics

The FY 2000 Report to Congress stated that 87 percent of homeless K-12 children and youth are enrolled in school. However, only 77 percent attended school regularly. Less than 16 percent of eligible preschool aged children are enrolled in preschool programs.

U.S. Department of Education's McKinney-Vento Report to Congress or Fiscal Year 2000 References, Appendix G

G-7. What are a school's responsibilities for enrolling homeless children and youth?

A school selected on the basis of the best interest determination (*see* G-1 and G-2) must immediately enroll the homeless child or youth, even if the child or youth is unable to produce the records normally required for enrollment (such as previous academic records, medical records, proof of residency, birth certificates, or other documentation). The enrolling school must immediately contact the school last attended by the child or youth to obtain relevant academic or other records.

If a child or youth needs to obtain immunizations, or immunization or medical records, the enrolling school must immediately refer the parent or guardian to the LEA homeless liaison, who must assist in obtaining the immunizations or records. The records must be maintained so that they are available in a timely fashion when the child enters a new school or school district. To facilitate immediate enrollment, timely transfer of records from school to school should also take into account procedures for State-to-State record transfers.

The McKinney-Vento legislation provides a broad mandate to States and districts to change policies or practices that act as a barrier to the enrollment, attendance, and school success of homeless children. It is important for them to review policies and practices on an on-going basis, so that new barriers do not prevent children from receiving the free, appropriate public education to which they are entitled.

G-8. What are some steps that LEAs can take to ensure immediate enrollment?

Homeless children and youth often do not have the documents ordinarily required for school enrollment. Enrolling them in school immediately not only provides these children and youth needed stability, but is also legally required.

To facilitate immediate enrollment, LEAs should consider the following practices:

- Train all school enrollment staff, secretaries, guidance counselors, school social workers, and principals on the legal requirements regarding immediate enrollment;
- Review all regulations and policies to ensure that they comply with the McKinney-Vento requirements;
- Develop affidavits of residence or other forms to replace typical proof of residency. Such forms should be carefully crafted so that they do not create further barriers or delay enrollment;
- Develop caregiver affidavits, enrollment forms for unaccompanied youth, and other forms to replace typical proof of guardianship. Again, such forms should be carefully crafted so they do not create further barriers or delay enrollment;
- Establish school-based immunization clinics or other opportunities for on-site immunizations;
- Collaborate with community-based or public agencies to provide school uniforms within a district and among neighboring districts;
- Accept school records directly from families and youth;

- Contact the previous school for records and assistance with placement decisions;
- Develop short educational assessments to place students immediately while awaiting complete academic records;
- Inform families and youth in a language they can understand or in an accessible format as appropriate of their right to attend either their school of origin or local school;
- Inform families and youth in a language they can understand or in an accessible format as appropriate of their right to transportation and immediate enrollment;
- Develop clear, understandable and accessible forms for written explanations of decisions and the right to appeal; and
- Expeditiously follow up on any special education referrals or services and language assistance services.

G-9. What are effective strategies for a LEA to use to resolve enrollment disputes?

An LEA should consider the following strategies for effectively resolving school enrollment disputes:

- Disputes should be resolved at the district level rather than the school level;
- When inter-district issues arise, representatives from all involved districts and the SEA should be present to resolve the dispute;
- A State-level appeal process, involving the State coordinator, should be available for appeals from district-level decisions and inter-district disputes (*See* Section 722(g)(1)(C));
- The dispute resolution process should be as informal and accessible as possible, and allow for impartial and complete review;
- Parents, guardians, and unaccompanied youth should be able to initiate the dispute resolution process directly at the school they choose, as well as at the school district or LEA homeless liaison's office;
- States should establish timelines to resolve disputes at the local and State level;
- Parents, guardians, and unaccompanied youth should be informed that they can provide written or oral documentation to support their position;
- Students should be provided with all services for which they are eligible while disputes are resolved;
- Written notice should be complete, as brief as possible, simply stated, and provided in a language the parent, guardian, or unaccompanied youth can understand. The notice should include:

    1. Contact information for the LEA homeless liaison and State coordinator, with a brief description of their roles;
    2. A simple, detachable form that parents, guardians, or unaccompanied youth can complete and turn in to the school to initiate the dispute process. (The school should copy the form and return the copy to the parent, guardian or youth for their records when it is submitted);

3. A step-by-step description of how to dispute the school's decision;
4. Notice of the right to enroll immediately in the school of choice pending resolution of the dispute;
5. Notice that "immediate enrollment" includes full participation in all school activities;
6. Notice of the right to appeal to the State if the district-level resolution is not satisfactory; and
7. Timelines for resolving district- and State-level appeals.

H. Transportation

Transportation: The Number One Barrier

The FY 2000 Report to Congress cited lack of transportation as the number one barrier that homeless children and youth faced in attempting to enroll in and attend school regularly.

U.S. Department of Education's McKinney-Vento Report to Congress for Fiscal Year 2000 References, Appendix G

H-1. What responsibilities do SEAs and LEAs have regarding providing transportation services to homeless children and youth?

SEAs and LEAs are responsible for reviewing and revising policies, including transportation policies, that may act as barriers to the enrollment and retention of homeless children and youth in schools in the State. Under the McKinney-Vento Act, homeless children and youth are entitled to receive the transportation and other services that are available to non-homeless students.

SEAs and LEAs must adopt policies and practices to ensure that transportation is provided, at the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison), to or from the "school of origin" (*see* definition in Appendix A) in accordance with the following requirements:

- If the homeless child or youth continues to live in the area served by the LEA in which the school of origin is located, that LEA must provide or arrange for the child's or youth's transportation to or from the school of origin.

- If the homeless child or youth continues his or her education in the school of origin but begins living in an area served by another LEA, the LEA of origin and the LEA in which the homeless child or youth is living must agree upon a method to apportion the responsibility and costs for providing the child with transportation to and from the school of origin. If the LEAs cannot agree upon a method, the responsibility and costs for transportation are to be shared equally.

Steps to Improve Transportation for Homeless Students

Although the McKinney-Vento Act permits homeless students to remain in their schools of origin despite their residential instability, lack of transportation commonly prevents them from doing so. Given that transportation has been one of the foremost enrollment barriers, States should highlight in guidance to districts the new transportation responsibilities of LEAs under the reauthorized McKinney-Vento legislation.

Additionally, highly mobile students have been found to have lower test scores and overall academic performance than peers who do not change schools. This diminished achievement hurts students and schools. States should work in concert with LEAs to develop practices and policies to ensure that transportation is provided as required under the legislation.

Adopting a "One Child, One School, One Year" policy and providing transportation to enable a student to remain at his/her school of origin assures that a homeless student need not change schools before the end of a current academic year.

The Education for Homeless Children and Youth Program: Learning to Succeed References, Appendix G

H-2. How can LEAs ensure that the education of homeless students is not disrupted during inter-district transfers?

LEAs should have in place inter-district (and inter-State, where appropriate) agreements that address potential transportation issues that may arise as homeless students transfer from one district to another.

Develop a Systematic Process to Meet Transportation Needs

A systematic process - with agreed-upon steps and individual roles - can get homeless students to and from school efficiently and reliably.

- Identify one individual as the key contact regarding transportation
- Develop a process to determine the best interests of the student regarding travel to a particular school
- Standardize transportation-related data collection and processing
- Plan for transportation emergencies with back-up support
- Identify other sources for funding or arranging transportation

The Education of Homeless Children and Youth Program: Learning to Succeed References, Appendix G

H-3. May funds under Part A of Title I or Part A of Title V of the ESEA be used to transport homeless students to and from the school of origin?

No. LEAs may not use funds under Title I, Part A or Title V, Part A to transport homeless students to or from their school of origin. Transportation services to the school of origin are mandated under the McKinney-Vento Act's legislation. The supplanting provisions in Title I and Title V prohibit such funds from being used to support activities that the LEA would otherwise be required to provide.

H-4. Who should be involved in developing and implementing transportation policies for homeless students?

School districts can best address the transportation needs of homeless and other highly mobile students through a team approach. However, based on the best interest of the student and in consultation with the parent, the LEA determines the mode of transportation. The LEA's transportation director is a key figure in the process and should work with district leadership, the local liaison for homeless students, neighboring districts, and homeless service providers to develop effective transportation policies and procedures.

Steps district directors of pupil transportation can take to support the transportation of homeless children and youth

- Communicate regularly with the district homeless liaison
- Establish procedures to receive information about the transportation needs and pickup location of homeless students
- Train bus drivers and dispatchers on the rights and needs of homeless students, as well as on the need for sensitivity and confidentiality
- Develop a bus routing system that can respond flexibly and quickly to new "pickups"
- Be aware of new motel and shelter locations and prepare to include bus stops nearby
- Support increased district commitment to provide homeless students transportation to school, as well as to before-and after-school programs.

The Education for Homeless Children and Youth Program: Learning to Succeed References, Appendix G

H-5. Is an LEA required to transport homeless students to and from their school of origin, if needed, while enrollment disputes are being resolved?

Yes. The McKinney-Vento Act's transportation requirements apply while disputes are being resolved. Therefore, at the request of the parent or guardian (or in the case of an unaccompanied youth, the liaison), the LEA must provide or arrange for transportation to

and from the school of origin. Inter-district transportation disputes should be resolved at the SEA level (*See* section 722(g)(1)C)).

H-6. If an LEA does not provide transportation to non-homeless students, is it required to transport homeless students?

Yes. As discussed above, the legislation not only requires an LEA to provide comparable services, including transportation services, to homeless students, it also requires an LEA, at the request of a parent or guardian, to provide or arrange for transportation to and from the school of origin.

H-7. Do LEA transportation responsibilities apply to all LEAs in the State or only to those LEAs that receive a McKinney-Vento subgrant?

This requirement applies to all LEAs in the State.

I. Comparable and Coordinated Services

I-1. What are an LEA's responsibilities regarding "comparable services"?

An LEA in a participating State must provide services to each homeless child and youth that are comparable to services offered to other students in the school. These services include public preschool programs, and educational programs or services for which a homeless student meets the eligibility criteria, such as programs for children with disabilities, programs for students with limited English proficiency, vocational education, programs for gifted and talented students, before and after school programs, school nutrition programs, and transportation.

I-2. What are the responsibilities of an LEA regarding coordination of services for homeless children and youth?

LEAs are responsible for coordinating with local social service agencies, other service providers and programs, including the Runaway and Homeless Youth Act (42 U.S.C. 5701 et seq.), and with other LEAs on issues such as transportation and the transfer of records. Additionally, they must coordinate with housing assistance providers (*see* D-3). The purpose of this coordination is to ensure that eligible students have access and reasonable proximity to available education and related support services. It is also important to coordinate efforts in order to raise the awareness of school personnel and service providers of the effects of homelessness and the challenges that homeless students face.

J. Homeless Unaccompanied Youth

J-1. Why does the McKinney-Vento Act place special emphasis on serving the needs of homeless unaccompanied youth?

Homeless unaccompanied youth often face unique barriers in enrolling and succeeding in school. These barriers include school attendance policies, credit accrual, and legal guardianship requirements. Without a parent or guardian to advocate for them and exercise parental rights, they may be denied enrollment and remain out of school for extended periods of time. Unaccompanied youth also may not understand their educational rights, or know how to acquire this information.

J-2. How do local liaisons assist homeless unaccompanied youth in accessing the educational services to which they are entitled?

Local liaisons assist unaccompanied youth in accessing educational services through such activities as:

- Helping unaccompanied youth choose and enroll in a school, after considering the youth's wishes;
- Providing unaccompanied youth in a language they can understand or in an accessible format with notice of their right to appeal decisions counter to their wishes;
- Informing youth of their right to transportation to and from the school of origin, and assisting unaccompanied youth in accessing transportation; and
- Ensuring that unaccompanied youth are immediately enrolled in school pending the resolution of disputes.

K. Subgrants to LEAs

K-1. What portion of an SEA's McKinney-Vento allocation must be used for subgrants to LEAs?

An SEA that receives more than the minimum statutory McKinney-Vento allocation (*see* section 722(c)(i)) must subgrant at least 75 percent of its allocation to LEAs. (*See* C-1.)

An SEA that receives the minimum statutory McKinney-Vento allocation must subgrant at least 50 percent of its allocation to LEAs. (*See* C-1.)

K-2. On what basis does an SEA award McKinney-Vento subgrants to LEAs?

An SEA awards McKinney-Vento subgrants to LEAs competitively on the basis of the needs of the LEAs requesting assistance and the quality of their applications.

K-3. What information must an LEA include in its application for McKinney-Vento funds?

An LEA that seeks a McKinney-Vento award must submit to its SEA an application that contains the following information:

- An assessment of the educational and related needs of homeless children and youth in the area served by the LEA;
- A description of the services and programs that the LEA would provide;
- An assurance that the LEA meets the maintenance of effort requirement;
- An assurance that the LEA would use subgrant funds in compliance with section 722(g) (3) through (7) of the Act; and
- A description of policies and procedures that the LEA would undertake to ensure that its activities would not isolate or stigmatize homeless children and youth.

K-4. For how long may an LEA receive a subgrant?

An LEA may receive McKinney-Vento subgrant funds for a period not to exceed three years. An LEA may re-apply for additional McKinney-Vento funds after the initial three-year period expires. The LEA's subsequent application must meet the requirements outlined in K-3 above.

L. Local Uses of Funds

L-1. For what activities may an LEA use McKinney-Vento subgrant funds?

LEAs must use McKinney-Vento funds to assist homeless children and youth in enrolling, attending, and succeeding in school. In particular, the funds may support the following activities:

(1) Tutoring, supplemental instruction, and other educational services that help homeless children and youth reach the same challenging State content and State student performance standards to which all children are held. As clearly specified in the ESEA as reauthorized by the NCLB Act, all academic enrichment programs for disadvantaged students, including programs for homeless students, must be aligned to State standards and curricula. Additionally, when offering supplemental instruction, LEAs should focus on providing services for children and youth that reflect scientifically-based research as the foundation for programs and strategies to ensure academic success.

(2) Expedited evaluations of eligible students to measure their strengths and needs. These evaluations should be done promptly in order to avoid a gap in the provision of necessary services to such children and youth. Evaluations may also determine a homeless child or youth's eligibility for other programs and services, including educational programs for gifted and talented, special education and related services for children with disabilities, English language acquisition, vocational education, school lunch, and appropriate programs or services under ESEA.

(3) Programs and other activities designed to raise awareness among educators and pupil services personnel of the rights of homeless children and youth under the Act, and the special needs such children and youth have as a result of their homelessness.

(4) Referrals of eligible students to medical, dental, mental, and other health services.

(5) Paying the excess cost of transportation not otherwise provided through Federal, State, or local funds, to enable students to attend schools selected under section 722(g)(3) of the Act.

(6) Developmentally appropriate early childhood education programs for homeless children of preschool age that are not provided through other Federal, State, or local funds.

(7) Services and assistance to attract, engage, and retain homeless children and youth, and unaccompanied youth, in public school programs and services provided to nonhomeless children and youth.

(8) Before- and after-school programs, mentoring, and summer programs for homeless children and youth. Qualified personnel may provide homework assistance, tutoring, and supervision of other educational instruction in carrying out these activities.

(9) Paying fees and costs associated with tracking, obtaining, and transferring records necessary for the enrollment of students in school. The records may include birth certificates, guardianship records, immunization records, academic records, and evaluations of students determining eligibility for other programs and services.

(10) Education and training programs for parents of homeless children and youth regarding the rights their children have as homeless individuals and the educational and other resources available to their children.

(11) Programs coordinating services provided by schools and other agencies to eligible students to expand and enhance such services. Coordination with programs funded under the Runaway and Homeless Youth Act should be included in this effort.

(12) Pupil services programs providing violence prevention counseling and referrals to such counseling.

(13) Programs addressing the particular needs of eligible students that may arise from domestic violence.

(14) Providing supplies to non-school facilities serving eligible students and adapting these facilities to enable them to provide services.

(15) Providing school supplies to eligible students at shelters, temporary housing facilities, and other locations as appropriate.

(16) Providing extraordinary or emergency services to eligible students as necessary to enroll and retain such children and youth in school.

L-2. Where may an LEA provide services for homeless children and youth?

To the maximum extent practicable, an LEA must provide McKinney-Vento services through programs that integrate homeless and non-homeless children and youth. The services must be designed to expand or improve services provided as part of a school's regular academic program, but may not replace services provided under the regular program.

LEAs may provide subgrant services through programs on school grounds or at other facilities. If services are provided on school grounds, the schools may use McKinney-Vento funds to provide the same services to other children and youth who are determined by the LEA to be at risk of failing in, or dropping out of, school.

As discussed in Part E of this guidance, LEAs and schools may not provide services in settings within a school that segregate homeless children and youth from other children and youth, except as necessary for short periods of time for health and safety emergencies, or to provide temporary, special, and additional services to meet the unique needs of homeless children and youth.

L-3. May a district or school provide an after-school program that exclusively serves homeless children with McKinney-Vento funds?

Homeless children are entitled to participate in the regular after-school program provided by the school, and schools must address all barriers to their full participation in these programs. If no after-school programs are provided by the school or the programs provided do not meet the needs of homeless children, McKinney-Vento funds may be used for after-school services for homeless children, and for non-homeless children who are at risk of failing in, or dropping out of, school.

M. Coordination with Title I, Part A of the ESEA

M-1. Are homeless children and youth eligible to receive Title I, Part A services?

Yes. Homeless children and youth are automatically eligible for services under Title I, Part A of the ESEA, whether or not they live in a Title I school attendance area or meet the academic standards required of other children for eligibility. Homeless children and youth may receive Title I educational or support services from schoolwide and targeted-assistance school programs.

A State must include in its State Title I plan a description of how the plan is coordinated with the McKinney-Vento Act. *See* Section 1111(a)(1) of the ESEA. Additionally, an LEA receiving Title I, Part A funds must include in its local plan a description of how the plan is coordinated with the McKinney-Vento Act. The local plan must describe services provided to homeless children.

M-2. Are homeless children and youth who attend non-Title I schools eligible to receive Title I, Part A services?

Yes. An LEA must provide comparable services to a homeless student who does not attend a Title I school. An LEA must reserve funds for homeless children who do not attend participating Title I schools and may, for instance, provide support services to children in shelters and other locations where homeless children live. Services should be provided to assist homeless students to effectively take advantage of educational opportunities.

This provision applies to homeless students in public and private schools, institutions for neglected children and, where appropriate, local institutions such as local community day school programs. *See* Section 1113 of the ESEA.

SEA and LEA Title I plans must be coordinated with the plans agencies develop under the McKinney-Vento Act. LEAs can develop formulas for reserving the appropriate amount of Title I funding for students who are experiencing homelessness, as required in Section 1113(c)(3). However, Title I funds may not be used to assist with transportation costs (*See* H-4 above).

M-3. What types of services may an LEA provide to homeless students with funds reserved under Section 1113(c)(3) of Title I?

An LEA may use funds reserved under this section to provide services to eligible homeless students in both Title I and non-Title I schools that are comparable to services provided to non-homeless students in Title I schools. Services provided

should assist such children in meeting the State's challenging academic content and academic achievement standards.

An LEA has the discretion to use reserved funds to provide a homeless student with services that are not ordinarily provided to other Title I students and that are not available from other sources. For example, where appropriate, an LEA at its discretion may provide a student with an item of clothing to meet a school's dress or uniform requirement so that student may effectively take advantage of educational opportunities.

Reservation of Fund for Homeless Students

Many school districts with subgrants pool Title I and McKinney-Vento funds to support extended day and summer activities, provide school supplies, tutoring and other resources.

Several States provide formulas for all LEAs to use Title I set-asides based on shelter counts (nightly average multiplied by a district's per-pupil allocation). LEAs may adjust the amounts based on local data and needs assessments.

Several LEAs use local counts (one month averages and one day counts) of homeless students multiplied by Title I per-pupil allocation to compute set-aside amounts.

*Symposium on Homeless Education and Title I - Hosted by U.S. Department of Education and the National Center for Homeless Education (*NCHE) 2001 References, Appendix G

M-4. Does a State's academic assessment system need to include homeless students?

Yes. The final regulations that implemented changes to the standards and assessment requirements of Title I, Part A require States to include homeless students in their academic assessment, reporting, and accountability systems, consistent with section 1111(b)(3)(C)(xi) of the ESEA. Assessments of homeless students are to be included in school district or in State accountability when students have been in a school for a full academic year. However, States are not required to disaggregate, as a separate category, the assessment results of homeless students.

As homeless children and youth fall at the low end of the poverty continuum, LEAs and States should include the assessments of homeless students in the economically disadvantaged category of disaggregation, in addition to other applicable categories (e.g., "all student category").

Strategies to Facilitate Coordination and Collaboration Between Title I and the McKinney-Vento Act

- Ensure that LEA local liaisons attend Title I conferences and in-services, and that Title I coordinators attend homeless education conferences and in-services.
- Ensure collaboration between local Title I coordinators and LEA local liaisons on a plan that identifies ways that Title I will serve children and youth experiencing homelessness.
- Ensure collaboration between the State Title I coordinator and the State McKinney-Vento coordinator on the State Title I plan or the State consolidated plan.
- Share Title I and Homeless Education handbooks with programs.
- Collect and share across within and across districts concrete data on the needs of children and youth in homeless situations.
- Initiate district efforts to make organizational accommodations for eligible students as necessary in such areas as transportation, remaining in the school of origin, records transfer, class scheduling, and special services that will help them enroll, attend, and succeed in school.
- Ensure that the needs of highly mobile students are included in the school improvement plans and not addressed as a separate issue.
- Establish and widely disseminate information on district-wide policies, procedures, and guidelines to identify and serve eligible students.
- Ensure LEA homeless liaison representation on the Committee of Practitioners.
- Include homeless parents in Title I parental involvement policies and create opportunities for homeless parents to be involved.

Symposium on Homeless Education and Title I - Hosted by U.S. Department of Education and the National Center for Homeless Education (NCHE) 2001 References, Appendix G

N. Education for Homeless Children and Youth Contact information

N-1. Whom do I contact for further information about the McKinney-Vento program?

For further information or technical assistance, please contact the program office (202) 260-0826 or by fax at (202) 260-7764.

The McKinney-Vento Homeless Education Assistance Act and the *No Child Left Behind Act of 2001* can be accessed via the Internet by visiting the U.S. Department of Education website: http://www.ed.gov/offices/OESE/esea/.

APPENDIX A: DEFINITIONS

For local schools to comply with legislation related to serving students experiencing homelessness, they must identify eligible students. The McKinney-Vento Act defines *homeless children and youth* (twenty-one years of age and younger) as:

- Children and youth who lack a fixed, regular, and adequate nighttime residence, and includes children and youth who are:
  - sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason (sometimes referred to as *doubled-up*);
  - living in motels, hotels, trailer parks, or camping grounds due to lack of alternative adequate accommodations;
  - living emergency or transitional shelters;
  - abandoned in hospitals; or
  - awaiting foster care placement.

- Children and youth who have a primary nighttime residence that is a public or private place not designed for, or ordinarily used as, a regular sleeping accommodation for human beings.

- Children and youth who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings.

- Migratory children who qualify as homeless because they are living in circumstances described above.

Unaccompanied Youth. The term *unaccompanied youth* includes a youth not in the physical custody of a parent or guardian. This would include youth living in runaway shelters, abandoned buildings, cars, on the streets, or in other inadequate housing and children, youth denied housing by their families (sometimes referred to as "throwaway" children and youth), and school-age unwed mothers, living in homes for unwed mothers, who have no other housing available.

If a child or youth's living situation does not clearly fall into the situations described above, the LEA should refer to the McKinney-Vento definition of "fixed, regular and adequate nighttime residence" and consider the relative permanence of the living arrangements. Determinations of homelessness should be made on a case-by-case basis. Note that incarcerated children and youth and children and youth in foster care are *not* considered homeless.. In addition, the community and schools should work together to reach homeless families and unaccompanied youth and ensure they are aware of their educational rights. Developing local policies and procedures and reaching out to the community and educational staff who require information on homeless students, and the legal requirements, and supportive practices in serving homeless students, is critical to successfully fulfill the intent of the McKinney-Vento Act.

School of Origin. The *school of origin* is the school that the child or youth attended when permanently housed or the school in which the child or youth was last enrolled.

APPENDIX B: RELATED EDUCATION LEGISLATION

The McKinney-Vento Act states that homeless children and youth must have access to the same educational services provided to other students. In addition, other educational legislation makes reference to serving homeless students. For example:

- Head Start has added homeless preschoolers as a targeted population to be served. Background on homelessness and its impact on young children, as well as implementation guidance can be found in a 1992 Information Memorandum from the Head Start Bureau (U.S. Department of Health and Human Services, Log Number: ACF-IM-92-12: http://www.nlchp.org/FA_Education/us_hhs_memo.pdf). Just as the legislation requires public schools to identify and remove barriers that may delay enrollment, the same requirement applies to preschool programs, such as Head Start.

- The Individuals with Disabilities Education Act (IDEA) requires that homeless preschoolers and all homeless children be included in the Child Find process for early identification of special education needs. It is recommended that, when possible, the eligibility process for identifying special needs should be expedited to avoid delays in provided services to eligible children caused by frequent mobility.

- Title I targets students most at risk of failing in school. A child who is homeless and attending any school in the district is eligible for Title I services. These schools include schoolwide programs, targeted assistance schools, and non-Title I schools. LEAs must reserve (set aside) a portion of Title I funds needed to provide services eligible students in non-Title I schools that are comparable to those being received by other Title I students. In addition, in order to receive their allocation of Title I funds, the LEA must include how the district will coordinate with the McKinney-Vento Homeless Assistance Act when filing their plan with the SEA. *See* Section 1111(a)(1); Section 1112(a)(1); Section 1112(b)(1)(E)(ii); Section 1112(b)(1)(O); Section 1113(c)(3)(a); and Section 1115(b)(2)(E).

- Free and reduced priced meals – The application process for free and reduced priced meals can be expedited for students experiencing homelessness. Schools that have determined a student is homeless and requires free meals may make this determination without completing the full application process. Local liaisons have been identified by the U.S. Department of Agriculture: http://www.nlchp.org/FA_Education/new_usda_memo.pdf

APPENDIX C: DRAFT STANDARDS AND INDICATORS OF QUALITY*

Draft Standards and Indicators of Quality
For the Evaluation of Local Education Programs
For Homeless Children and Youth
(McKinney-Vento Programs)

***The following information in Appendix C is not a part of the U.S. Department of Education's Government Performance Results Act (GPRA) requirements. It is neither required nor endorsed by the Department. It is offered as part of the technical assistance and support provided to States and LEAs by the National Center for Homeless Education (NCHE) at SERVE**

Program evaluation is a critical element of program improvement. Although many good programs exist, what is lacking is an emphasis on using data to see if we are making a difference. It is vital to construct tools to ensure that we make continuous progress in serving homeless children and youth.

An appropriate evaluation plan compares the program of interest to a set of standards and indicators characteristic of high quality programs for homeless children and youth. Standards express general characteristics of high quality programs while indicators are subunits of the standards and describe more specific aspects of the programs.

During the summer 2001, NCHE convened a work group of State coordinators, local coordinators, representatives of national organizations, program evaluation specialists, and U.S. Department of Education staff. The group developed the following quality outcome standards and indicators for McKinney-Vento programs. SERVE Evaluation Program staff led the group through a process to develop indicators based on discussions of effective programs and practices that result in increased school enrollment, attendance, and achievement of homeless children and youth.

Reflecting the McKinney-Vento legislation, the following five standards and their associated indicators were drafted to facilitate local program personnel to evaluate their programs with the results leading to effective programmatic decisions.

Standard 1. ***Within one full day of an attempt to enroll in a school, homeless children and youth will be in attendance.***

Rationale: Homeless children and youth are often denied enrollment or are enrolled but not allowed to attend school until certain requirements are met. Research shows that gaps in attendance are linked to poor academic performance; children cannot learn if they are not in school.

McKinney-Vento: The school selected in accordance with this paragraph shall immediately enroll the homeless child or youth, even if the child or youth is unable to produce records normally required for enrollment, such as previous academic records, proof of residency, or other documentation. [Sec. 722(g)(3)(C)(i) of McKinney-Vento]

Standard 2. ***Homeless pre-k to 12 children and youth will have stability in school.***

2.1. Attendance rates will be at or above the relevant district average.

2.2. Students will remain in the school of origin for the period of homelessness or, if permanently housed, for the remainder of the school year, unless parents or unaccompanied youth requested transfer to another school.

Rationale: School stability and continuity in school enrollment are associated with school success including achievement, promotion, and graduation. Research studies have indicated that a child may lose 4-6 months of academic progress with each move to a new school. The importance of a child attending one school and of attending consistently (in one school or in several schools without gaps during a transition if the child must change schools) cannot be underestimated.

McKinney-Vento: The local education agency serving each child or youth to be assisted under this subtitle shall, according to the child's or youth's best interest continue the child's or youth's education in the school of origin for the duration of homelessness in any case in which a family becomes homeless between academic or during an academic year; or for the remainder of the academic year, if the child or youth becomes permanently housed during an academic year. [Sec.722(g)(3)(A)(i)(I) and (II) of McKinney-Vento]

Standard 3. ***Homeless children and youth will receive specialized services when eligible.***

3.1. Eligible homeless preschool children can participate in public preschool (Head Start, Even Start, State pre-K, preschool programs for children with disabilities under the Individuals with Disabilities Education Act, meals, programs for children with limited English proficiency, and Title I pre-school programs).

3.2. Eligible homeless children and youth can receive special education and related services under the Individuals with Disabilities Education Act, educational and related aids and services under Section 504 of the Rehabilitation Act of 1973, and educational programs for students with limited English proficiency.

3.3. Homeless Children and youth will receive appropriate services, based on assessment of individual needs, through a combination of resources, including, but not limited to Title I, McKinney-Vento, and other federally funded programs.

Rationale: Consistent with the intent of the *No Child Left Behind Act*, the provision of services to the neediest of students is essential to closing the academic achievement gap between students most at risk of failure and those least at risk. Homeless students

frequently move from school to school before eligibility for specialized programs can be determined or before they can rise high enough on waiting lists to be admitted to programs. Programs must find ways to accommodate their eligibility policies and procedures to address the needs of highly mobile students.

McKinney-Vento: Each homeless child or youth to be assisted under this subtitle shall be provided services comparable to services offered to other students in the school selected …, including the following: transportation services; educational services for which the child or youth meets the eligibility criteria, such as services provided under Title I of the Elementary and Secondary Education Act of 1965 or similar State or local programs, educational programs for children with disabilities, and educational programs for students with limited English proficiency; programs in vocational and technical education; programs for gifted and talented students; school nutrition programs. [Sec. 722(g)(4) of McKinney-Vento]

Standard 4. Parents or persons acting as parents of homeless children and youth will participate meaningfully in their children's education.

4.1. Parents or persons acting as parents will have a face-to-face conference with the teacher, guidance counselor, or social worker within 30 days of enrollment.

4.2. Parents or persons acting as parents will be provided with individual student reports informing them of their child's specific academic needs and achievement on academic assessments aligned with state academic achievement standards.

4.3. Parents or persons acting as parents will report monitoring or facilitating homework assignments.

4.4. Parents or persons acting as parents will share reading time with their children (i.e., parent reads to child or listens to child read).

4.5. Parents who would like parent skills training will attend available programs.

4.6. Parents or guardians will demonstrate awareness of McKinney rights.

4.7. Unaccompanied youth will demonstrate awareness of McKinney-Vento rights.

Rationale: Research shows that one of the most critical indicators of academic success is the involvement of parents in their children's education. In families experiencing homelessness, parents often face many challenges to their participation in their children's education. School districts need to take extra steps to help parents in homeless families become involved in the education of their children.

McKinney-Vento: Each local educational agency liaison for homeless children and youth … shall ensure that the parents or guardians of homeless children and youth are

informed of the educational and related opportunities available to their children and are provided with meaningful opportunities to participate in the education of their children. [Sec. 722(g)(6)(A)(iv) of McKinney-Vento]

Title I, Part A regarding Standard 4.2: [A state assessment system shall] produce individual student interpretive, descriptive, and diagnostic reports, consistent with clause (iii) that allows parents, teachers, and principals to understand and address the specific academic needs of students, and include information regarding achievement on academic assessments aligned with State academic achievement standards, and that are provided to parents, teachers, and principals, as soon as is practicably possible after the assessment is given, in an understandable and uniform format, and to the extent practicable, in a language that parents can understand. [Sec. 1111(b)(3)(C)(xii) of the ESEA]

Standard 5. Homeless children and youth in grades 3-12 will meet their states' academic standards.

5.1. Performance on standards-based assessments in reading and math will be within or above the proficient range or will show a one-for-one gain.

5.2. Rates of promotion to the next grade level will be at or above the district average.

5.3. Rates of high school graduation or equivalent will be at or above the district average.

Rationale: Consistent with the *No Child Left Behind Act*, homeless children and youth must be given the opportunity to achieve to the same high standards as all other children. Each of the preceding standards helps to provide the support a homeless child or youth needs to succeed academically.

McKinney-Vento: Homeless children and youths should have access to the education and other services that such children and youths need to ensure that such children and youths have an opportunity to meet the same challenging State student academic achievement standards to which all students are held. [Sec. 721(4) of McKinney-Vento]

Appendix D: Sample Student Residency Questionnaire*

Everyday Unified School District

*[This form was not developed nor is it endorsed by the U.S. Department of Education. It is not a required form. It was adapted for use as an example].

This questionnaire is intended to address the McKinney-Vento Act. Your answers will help the administrator determine residency documents necessary for enrollment of this student.

1. Presently, where is the student living? *Check one box.*

Sample

Section A	Section B
☐ in a shelter ☐ with more than one family in a house or apartment ☐ in a motel, car or campsite ☐ with friends or family members (other than parent/guardian) ***CONTINUE:*** *If you checked a box in* ***Section A****, complete #2 and the remainder of this form.*	☐ Choices in Section A do not apply ***STOP:*** *If you checked this section, you do* ***not*** *need to complete the remainder of this form. Submit to school personnel.*

2. The student lives with:
   - o 1 parent
   - o 2 parents
   - o 1 parent & another adult
   - o a relative, friend(s) or other adult(s)
   - o alone with no adults
   - o an adult that is not the parent or the legal guardian

School: _____

Name of Student_____ Male ☐ Female ☐

Birth Date____/____/____ Age: _____ Social Security# _____
Month / Day / Year

Name of Parent(s)/Legal Guardian(s) _____

Address_____ZIP: _____ Phone/Pager:_____

Signature of Parent/Legal Guardian_____ Date: _____

School Use Only - Campus Administrator's determination of Section A circumstances:

➔ *FAX to Attendance, Guidance and Counseling 777-777*

If the parent has checked Section B above, completion of form is not required. For any choices in Section A, this form must be completed and faxed to Attendance, Guidance and Counseling Department immediately after completion. All campuses must keep original forms separately from the Student Permanent Record for audit purposes during the year.

Name and phone number of a School Contact Person who may know of the family's situation:
_____ Date faxed: _____

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Appendix E: Dispute Resolution Process School Sample Form*

Everyday Independent School District

. *[This form was not developed nor is it endorsed by the U.S. Department of Education. It is not a required form. It was adapted for use as an example].

School Name:_____

School Address: _____Phone: (777)_____Fax: (777)____

Student's Name:_____ I.D.#:_____ Grade: __

Current Address: _____ Current Phone:_____

Parent/Guardian/Complaining Party's Name:_____

Relationship: □ Parent □ Guardian □ Unaccompanied Youth □ Other:

Current Address: _____ Current Phone: (_)_____

Please note: Information regarding student's address, phone number, and information protected by Everyday School Records Act and can only be released to parent/guardian, the student, or to a person specifically designated as a representative of the parent/guardian.

Lives in a Shelter □ Yes □ No

Name of school that parent chooses child to be immediately enrolled in and /or transported to/from until dispute is resolved:

Is this the school of origin*? □ Yes □ No

**School of Origin means the school that the child attended when permanently housed or the school in which the child was last enrolled.*

If no, from which school was the student transferred? _____

Reason for the Complaint: _____ ___

Signature of parent/guardian/complaining party: Date:

Principal's Actions on the Complaint

Taken within __ school day(s) after receiving notice of the complaint.

Date Homeless liaison was notified of the dispute:

Action taken by principal to resolve the dispute: _

_____

Was the dispute resolved? □ Yes □ No

Explanation:

Sample

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Appendix F: Dispute Resolution Process School District Sample Form*

EVERYDAY PUBLIC SCHOOLS

*[This form was not developed nor is it endorsed by the U.S. Department of Education. It is not a required form. It was adapted for use as an example].

Student's Name: _____ I.D.#: _____

Grade: _____

School Name: _____

Sample

District Action On Complaint

Taken within ____ school days after receiving notice of the complaint.
Did the Education Liaison resolve this dispute? □ Yes □ No

If dispute was resolved: describe the actions taken by the Education Liaison to resolve the dispute to the satisfaction of parent/guardian:

If dispute was *not* resolved to the satisfaction of the parent/guardian: provide the date that a District Education Officer convened a meeting of the parties and briefly describe the outcome of this meeting:

The following organizations are willing to provide low-cost or free legal assistance to residents of Everyday*:

Everyday Coalition for the Homeless Main Street Everyday, USA (800) 555-5555) Everyday Coalition is willing to provide to homeless children and parents free legal services regarding educational matters.

*By listing these organizations as sources of low-cost or free legal services, the Everyday Board of Education does not in so doing recommend or advocate the use of the services of the listed organizations, nor is the Board responsible for the quality of services provided by any of these listed organizations, should their services be used.

Action taken by Everyday School District to resolve the dispute (if necessary): _

_____

Was the dispute resolved? □ Yes □ No Date:
Explanation:

Appendix G: References

The Education of Homeless Children and Youth Program: Learning to Succeed. (November, 2002). Chapter I, Phillips, C.M.,Wodatch, J.K., & Kelliher, C.T. *Access and achievement: Reducing barriers for homeless children and youth.* Chapter II, Funkhouser, J.E., Riley, D.L., Suh, H.J., and Lennon, J.M. *Educating Homeless Children and Youth: A Resource Guide to Promising Practices.* Washington, DC: U.S. Department of Education.

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